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09/932,706 Byers 43-5

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**IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE**

JAN 03 2006

Patent Application

Inventor(s): Byers et al.

Case No.: Byers 43-5

Examiner:

Agustin Bello

Serial No.: 09/932,706

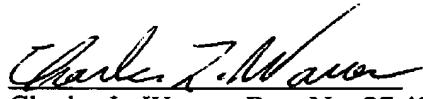
Art Unit:

2633

Filing Date: 08/17/2001

Title: Interconnecting Processing Units of a Stored Program Controlled System Using
Space Division Multiplexed Free Space Optics

I hereby certify that this correspondence is being facsimile
transmitted to the United States Patent and Trademark Office
on January 3, 2006.


Charles L. Warren, Reg. No. 27,407

COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, VA 22313-1450

SIR:

Reply to Office Action: Filing of Terminal Disclaimer

In the Office Action of Oct. 5, 2005 the only rejection to the pending claims was a double
patenting rejection. Enclosed is a Terminal Disclaimer which should place this application in
condition for allowance.


Charles L. Warren
Reg. No. 27,407

Carmen B Patti and Associates, LLC.
Attn: Charles Warren
Customer number 47382

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TERMINAL DISCLAIMER TO OBLIGATE A PROVISIONAL DOUBLE PATENTING
REJECTION OVER A PENDING "REFERENCE" APPLICATION

Docket Number (Optional)

Byers 43-5

In re Application of: *Byers*Application No.: *69/932,706*Filed: *08/17/2001*For: *Interconnecting Processor ...*

The owner, *Lucent Technologies, Inc.*, of *100* percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Number *69/932,703*, filed on *08/17/2001*, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on said reference application, "as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application," in the event that any such patent, granted on the pending reference application, expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Check either box 1 or 2 below, if appropriate.

1. For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. The undersigned is an attorney or agent of record. Reg. No. *27,407*

Charles L. Warren

Signature

11/3/06

Date

Charles L. Warren

Typed or printed name

630-584-9206

Telephone Number

Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
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FEE TRANSMITTAL
for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 130)

Complete If Known

Application Number	09/932,706
Filing Date	08/17/2001
First Named Inventor	Byers
Examiner Name	Agustin Bello
Art Unit	2633
Attorney Docket No.	Byers 43-5

METHOD OF PAYMENT (check all that apply)

<input type="checkbox"/> Check	<input checked="" type="checkbox"/> Credit card	<input type="checkbox"/> Money Order	<input type="checkbox"/> Other	<input type="checkbox"/> None
<input type="checkbox"/> Deposit Account:				
Deposit Account Number	<input type="text"/>			
Deposit Account Name	<input type="text"/>			

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments

Charge any additional fee(s) or any underpayment of fee(s)

Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 365			Utility filing fee	<input type="text"/>
1002 340	2002 170			Design filing fee	<input type="text"/>
1003 530	2003 265			Plant filing fee	<input type="text"/>
1004 770	2004 385			Reissue filing fee	<input type="text"/>
1005 160	2005 80			Provisional filing fee	<input type="text"/>
SUBTOTAL (1) (\$)					

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	-20*	=	Extra Claims	Fee from below	Fee Paid
Independent Claims	- 20*	=	<input type="text"/>	<input type="text"/>	<input type="text"/>
Multiple Dependent	- 3**	=	<input type="text"/>	<input type="text"/>	<input type="text"/>
			<input type="text"/>	<input type="text"/>	<input type="text"/>

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description
1202 18	2202 9			Claims in excess of 20
1201 86	2201 43			Independent claims in excess of 3
1203 290	2203 145			Multiple dependent claim, if not paid
1204 86	2204 43			** Reissue independent claims over original patent
1205 18	2205 9			** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$)				

*or number previously paid, if greater; For Reissues, see above

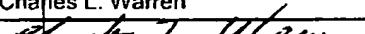
FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65			Surcharge - late filing fee or oath	<input type="text"/>
1052 50	2052 25			Surcharge - late provisional filing fee or cover sheet	<input type="text"/>
1053 130	1053 130			Non-English specification	<input type="text"/>
1812 2,520	1812 2,520			For filing a request for ex parte reexamination	<input type="text"/>
1804 920*	1804 920*			Requesting publication of SIR prior to Examiner action	<input type="text"/>
1805 1,840*	1805 1,840*			Requesting publication of SIR after Examiner action	<input type="text"/>
1251 110	2251 55			Extension for reply within first month	<input type="text"/>
1252 420	2252 210			Extension for reply within second month	<input type="text"/>
1253 950	2253 475			Extension for reply within third month	<input type="text"/>
1254 1,480	2254 740			Extension for reply within fourth month	<input type="text"/>
1255 2,010	2255 1,005			Extension for reply within fifth month	<input type="text"/>
1401 330	2401 165			Notice of Appeal	<input type="text"/>
1402 330	2402 165			Filing a brief in support of an appeal	<input type="text"/>
1403 290	2403 145			Request for oral hearing	<input type="text"/>
1451 1,510	1451 1,510			Petition to institute a public use proceeding	<input type="text"/>
1452 110	2452 55			Petition to revive - unavoidable	<input type="text"/>
1453 1,330	2453 665			Petition to revive - unintentional	<input type="text"/>
1501 1,330	2501 665			Utility issue fee (or reissue)	<input type="text"/>
1502 480	2502 240			Design issue fee	<input type="text"/>
1503 640	2503 320			Plant issue fee	<input type="text"/>
1460 130	1460 130			Petitions to the Commissioner	<input type="text"/>
1807 50	1807 50			Processing fee under 37 CFR 1.17(q)	<input type="text"/>
1806 180	1806 180			Submission of Information Disclosure Stmt	<input type="text"/>
8021 40	8021 40			Recording each patent assignment per property (times number of properties)	<input type="text"/>
1809 770	2809 385			Filing a submission after final rejection (37 CFR 1.129(a))	<input type="text"/>
1810 770	2810 385			For each additional invention to be examined (37 CFR 1.129(b))	<input type="text"/>
1801 770	2801 385			Request for Continued Examination (RCE)	<input type="text"/>
1802 900	1802 900			Request for expedited examination of a design application	<input type="text"/>
Other fee (specify) TERMINAL DISCLAIMER 37 CFR 1.28A (130)					

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 130)

(Complete if applicable)					
Name (Print/Type)	Charles L. Warren	Registration No.	27,407	Telephone	630-584-9206
Signature				Date	Jan. 3, 2006

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